

**PL Sum. J.**

**Ex. 036**



## Transcript of **Marina MacDonald**

Tuesday, June 14, 2022

*W.K. v. Red Roof Inns, Inc*

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Reference Number: 117470

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

W.K., et al.,  
PLAINTIFFS,  
vs.  
RED ROOF INNS, INC.;  
et al,  
DEFENDANTS.

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:  
: Civil Action  
: File No.  
: 1:20-cv-05263-VMC  
:  
:  
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JANE DOE 1, et al.,  
PLAINTIFFS,  
vs.  
WESTMONT HOSPITALITY  
GROUP, et al.,  
DEFENDANTS.

- - -

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: Civil Action  
: File No.  
: 1:21-cv-04278-WMR  
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J.A.,  
PLAINTIFF,  
vs.  
RED ROOF INNS, INC.,  
et al.,  
DEFENDANTS.

- - -

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: Civil Action  
: File No.  
: 1L21-cv-03655-TWT  
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Deposition of

MARINA MacDONALD

Taken at the office of  
Bailey Cavalieri, LLC  
10 West Broad Street  
20th Floor Conference Room  
Columbus, Ohio 43215

on June 14, 2022 at 8:54 a.m.

Reported by: Jennifer L. Parish, RPR

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18 Inc.; FMW RRI NC, LLC; Red Roof  
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7  
8 ALSO PRESENT:

9 Bruce Sandy, Videographer

10 Nick Kolitsos, Red Roof Inn

11 Beth Richardson, Paralegal (via Zoom)

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1                   This email refers to, quote,  
2     corporate managed locations. If we talk about  
3     corporate managed locations or corporately  
4     managed locations, what does that mean to you?

5                   A. Well, I was not involved -- I was  
6     -- I worked for Red Roof Franchising, so I  
7     worked for the entire brand. And corporate  
8     managed were a small group of hotels that had  
9     an operations team that managed them.

10                  Q. Okay. An operations team. Well,  
11     let me say this:

12                   You say that that's a -- there's a  
13     small group of hotels as opposed to what else  
14     is sort of out there? How are you  
15     distinguishing between corporate managed and  
16     what else?

17                  A. Independent franchisee.

18                  Q. Independent franchisee. Okay.

19                   So if -- if we're talking about  
20     over the course of today corporately managed  
21     locations versus independent franchisee  
22     locations, when we're talking about  
23     independent franchisee locations, we're  
24     talking about locations that have what might  
25     be called a third-party franchisee.

1 A. Yes.

2 Q. And, again, I'm not looking for  
3 mechanical precision around this. I'm just  
4 trying to have a ballpark of what the -- what  
5 the management structure looked like.

6 You said the number 20 earlier.  
7 Is that the number today? Where did the 20  
8 number come from?

9 A. At one point we had 20.

10 Q. Okay. Was that point between the  
11 2010 and 2018?

12 A. No.

13 Q. Okay. So by 2018 you think that  
14 the max it would have been would be somewhere  
15 north of 8 but less than 20?

16 A. Yes.

17 Q. Okay. How big was your budget?

18 MR. ALLUSHI: Objection.

19 Q. Again, I'm talking about --

20 A. What time frame?

21 Q. Okay. So around 2010 about how  
22 big was it?

23 A. Oh, I cannot remember.

24 Q. How big was it in 2018, roughly?

25 A. Roughly 10 to 13 million.

1 Q. Okay. Do you think it would have  
2 been seven figures in 2010?

3 A. No.

4 Q. So less than a million in 2010?

5 A. It was --

6 MR. ALLUSHI: Objection.

7 A. I cannot remember.

8 Q. Okay. What about 2012?

9 A. I -- I cannot remember.

10 Q. Okay. So you mentioned that you  
11 were -- you worked for -- I think if I heard  
12 you correctly, you worked for Red Roof  
13 Franchising; is that correct?

14 A. I work for -- I work for Red Roof  
15 Franchising.

16 Q. You work for the Red Roof  
17 Franchising today. Is that --

18 A. Always have.

19 Q. Always have. So for the entire  
20 time frame that you have worked for the Red  
21 Roof brand, you have worked for Red Roof  
22 Franchising?

23 A. Red Roof Franchising, LLC.

24 Q. And so when I say "Red Roof  
25 Franchising," we'll know that we're talking

1 Q. And that brand includes properties  
2 that were operated by third-party franchisees.  
3 Correct?

4 MR. ALLUSHI: Objection.

5 A. Yes.

6 Q. Okay. And that brand includes  
7 locations, a small fraction of locations, as  
8 you said, that were operated or that were  
9 so-called corporate managed locations.

10 MR. ALLUSHI: Objection.

11 Q. Is that correct? Again, we're  
12 talking about the 2010-to-2018 time frame.

13 A. Yes, yes.

14 Q. In other words, when you were  
15 spending your marketing dollars or when you  
16 were performing your job functions, were you  
17 distinguishing in your work between locations  
18 that were operated by third-party franchisees  
19 and locations that were operated by  
20 corporately -- by corporate managed?

21 A. No.

22 Q. Okay. So you had responsibility,  
23 marketing responsibility, as it pertained to  
24 advertising, press strategy, crisis  
25 management, social media platforms, the



1 Q. -- or -- or at reservation, then  
2 when that guest checked out, they were sent a  
3 survey to complete by some vendor.

4 A. Yes.

5 Q. And if the guest completed that  
6 survey, then the vendor collected that data  
7 and sent it back to the brand; is that  
8 correct?

9 A. Yes.

10 Q. Okay. Are you familiar with  
11 Reputology?

12 A. Yes.

13 Q. And what do you know Reputology to  
14 be?

15 A. They would aggregate social --  
16 they would aggregate review sites, TripAdvisor  
17 review sites specifically, Expedia, their  
18 reviews, booking.com, their reviews.

19 Q. Hotels.com, do you know whether  
20 they ever --

21 A. Hotels.com is part of Expedia, so  
22 yes.

23 Q. Okay. So Reputology was a vendor  
24 that aggregated reviews from these third-party  
25 reservation sites like Expedia and

1 booking.com.

2 A. They did that, yes.

3 MR. ALLUSHI: Objection.

4 Go ahead.

5 Q. And then they also aggregated  
6 reviews from TripAdvisor. Correct?

7 A. Correct.

8 Q. Is TripAdvisor a third-party  
9 booking site?

10 MR. ALLUSHI: Objection.

11 A. It's a review platform.

12 Q. Okay.

13 A. They may have a booking engine.  
14 I'm not familiar.

15 Q. Okay. But all of these sites,  
16 whether they have a booking engine or not,  
17 have customer reviews. And the function of  
18 Reputology for Red Roof was to aggregate  
19 reviews from these sites; is that correct?

20 A. Correct.

21 Q. And what role did you have in --  
22 in that work done by Reputology?

23 MR. ALLUSHI: Objection.

24 A. What -- I don't understand the  
25 question.

1 exactly when.

2 Q. Did you receive the reports from  
3 Reputology?

4 A. I did.

5 Q. Did you receive the -- and when I  
6 say "the reports from Reputology," I mean  
7 Reputology would aggregate this review  
8 information. Correct?

9 A. Correct.

10 Q. And at regular intervals, be it  
11 monthly or weekly, they would send you reviews  
12 for the locations that they were -- for which  
13 they were monitoring reviews. Correct?

14 A. They monitored all properties.

15 Q. Okay. So they would --

16 A. And if there was a review that a  
17 guest left, some hotels received them, some  
18 didn't.

19 Q. And positive, negative, whatever  
20 review, Reputology would aggregate it and send  
21 it at -- at regular intervals.

22 A. Yes.

23 Q. And you received those reports.

24 A. I did.

25 Q. Okay. Did anyone else?

1 A. Yes.

2 Q. Who else received those reports,  
3 to your knowledge?

4 A. Everyone in operations. All  
5 operations received it. I don't know who  
6 senior management received it.

7 Q. Okay. So -- and, again, I'm  
8 focused on the sort of 2010 to September 2015  
9 time period. We talked about a few sources of  
10 information that are being -- a few sources of  
11 customer -- let's call it customer review  
12 information that are being collected,  
13 aggregated, and distributed within the  
14 company.

15 A. Yes.

16 Q. The -- the customer surveys would  
17 be one source; is that correct?

18 A. Correct.

19 Q. The we'll call it Reputology  
20 information it's aggregating from the review  
21 sites would be another source.

22 A. Correct.

23 Q. The NR reports would be a third  
24 source. Is that --

25 A. Yes.

1 Q. -- via some other more automated  
2 process.

3 A. Correct.

4 Q. And the goal of this report was to  
5 aggregate guest chatter, you said, around  
6 certain topics. Correct?

7 A. Correct.

8 Q. And those topics, would it be fair  
9 to say, were related to possible criminal  
10 activity at locations?

11 A. Crisis activity that could turn  
12 into a crisis.

13 Q. Okay. You said "crisis activity."

14 A. Well --

15 Q. What do you -- what do you mean by  
16 that?

17 A. Drugs, weapons, police, human  
18 trafficking, those -- prostitution, those  
19 types of things. Those types of words.

20 Q. Okay. So the focus was on  
21 collecting chatter on these -- these topics  
22 that could -- most of these appear to be  
23 related to potential criminal activity; is  
24 that correct?

25 A. I don't know.

1 the witness.

2 MR. ALLUSHI: Okay.

3 BY MS. SEALS:

4 Q. Presumably, Red Roof was  
5 generating these reports, collecting this  
6 information for some reason. Correct? There  
7 was a reason, whatever it was.

8 A. George -- for the reason George  
9 wanted.

10 Q. For the reason George wanted. And  
11 so it was -- so Red Roof could do something,  
12 whatever it was George wanted to do, in  
13 response to this information.

14 MR. ALLUSHI: Objection.

15 Q. Again, I'm not asking what he  
16 wanted to do. I'm just saying that,  
17 presumably, there was some action that the  
18 company wanted to take --

19 A. It was --

20 MR. ALLUSHI: Wait.

21 Q. -- in response to these reports.

22 MR. ALLUSHI: Objection.

23 Go ahead, if you know.

24 A. The only thing I know was to  
25 monitor chatter. That's all I know.

1 you know what I'm talking about --

2 A. I do.

3 Q. -- those are the reports that H+K  
4 generated that aggregated press mentions for  
5 Red Roof, Inc.?

6 A. Yes.

7 MR. ALLUSHI: Objection.

8 Q. And they included positive --

9 MR. ALLUSHI: Did you say Red  
10 Roof, Inc.?

11 Q. Sorry. Red Roof the brand is what  
12 I really mean. So I'll clarify that.

13 Those were the reports that  
14 aggregated press mentions for Red Roof.

15 A. Yes.

16 Q. The brand.

17 A. Yes.

18 Q. And they aggregated mentions  
19 whether they were, we'll call it, positive  
20 press or negative press.

21 A. Correct.

22 Q. Correct?

23 A. Yes.

24 Q. And I think your testimony was  
25 that you're not sure precisely when you

1 started -- or when H+K started receiving those  
2 reports. Correct? Or H+K started sending  
3 those reports.

4 A. That is correct.

5 Q. Okay. But that you believe it was  
6 by -- again, I don't want to put words in your  
7 mouth.

8 My understanding of your testimony  
9 is you believe these reports were being sent  
10 out by the 2010 time frame.

11 A. On and off starting in 2010.

12 Q. Okay. When you say "on and off,"  
13 what do you mean?

14 A. Sometimes we would get them  
15 monthly and sometimes we would get them  
16 quarterly and sometimes we would get them  
17 daily.

18 Q. Okay. Understood. The interval  
19 might have changed, but you were receiving  
20 these reports at least by 2010.

21 A. Yes.

22 Q. Okay. You got the reports, I  
23 think we talked about, directly from H+K.  
24 Correct?

25 A. Correct.



1 Q. Did you get the reports every time  
2 they got sent out? In other words, did you  
3 get -- when the reports were being sent out  
4 daily, were you receiving them daily?

5 MR. ALLUSHI: Objection.

6 A. Yes.

7 Q. And when the reports were being  
8 sent out weekly, you were receiving them  
9 weekly?

10 A. Yes.

11 MR. ALLUSHI: Objection.

12 You're fine.

13 Q. Who -- do you know whether  
14 anyone -- or whether anyone else in the  
15 marketing department or otherwise was  
16 receiving these press roundups?

17 MR. ALLUSHI: Objection.

18 A. I would receive them, and maybe  
19 some people on my staff would receive them. I  
20 cannot recall every person that would receive  
21 them all the time, because the staff changed.

22 Q. Sure.

23 A. Other people would receive them  
24 within marketing.

25 Q. Okay. So between 2010 and 2018

1 you were receiving them and other people in  
2 marketing were receiving them.

3 A. Yes.

4 Q. And people who reported to you  
5 were receiving them, at least some of them.  
6 Correct?

7 A. Correct.

8 Q. And potentially people who  
9 reported to the people who were reporting to  
10 you, you're sort of -- people for whom you  
11 were the skip boss as we called it --

12 A. Yes.

13 Q. -- they were receiving them.

14 A. Yes.

15 Q. Correct?

16 Was anyone else on the -- other  
17 than you, was anyone else on the senior  
18 management team receiving them?

19 A. No.

20 Q. Did you -- strike that.

21 When you got these, did you read  
22 them?

23 A. Sometimes.

24 Q. Okay. Was it someone's job to  
25 read them?

1 A. Was it someone -- no. It wasn't  
2 someone's job just solely to read all of them,  
3 no.

4 Q. Of course, and that's not my  
5 question. It wouldn't be someone's job only  
6 to read those things. My question is whether,  
7 among the responsibilities of some employee,  
8 was it some employee's responsibility to read  
9 the reports H+K was generating?

10 MR. ALLUSHI: Objection.

11 A. I never directed anyone to  
12 specifically read everything on the report,  
13 no.

14 Q. Okay. Did you expect that someone  
15 on your team would be reading the reports?

16 A. It didn't occur to me, no.

17 Q. And so it also didn't occur to you  
18 to have someone on your team, like, click  
19 through the links on the news reports to read  
20 those?

21 A. Correct.

22 Q. Sometimes, and I think we've seen  
23 at least one example, you passed these reports  
24 along to senior management.

25 Is that fair to say?

1 CROSS-EXAMINATION (cont'd.)

2 BY MS. SEALS:

3 Q. Ms. MacDonald, when we were  
4 talking very early in the day about the people  
5 with whom you interacted, you mentioned  
6 Dorraine Lallani and Mohamed Thowfeek.

7 Do I remember that correctly?

8 A. Do I have some interaction with  
9 them?

10 Q. Well, yes.

11 A. I have some interaction with them.

12 Q. Okay. What -- what interaction  
13 did you have with them in the 2010-to-2018  
14 time period?

15 A. With Mr. Thowfeek, very little.  
16 Maybe once a year. A marketing review.

17 Q. Okay. And what would that  
18 marketing review cover?

19 A. It would cover the marketing  
20 results from the previous year and then the  
21 plan for the following year.

22 Q. What about Ms. Lallani?

23 A. She would be in meetings with me.  
24 I would have interaction with her when we did  
25 a marketing review, and we would do a

1 marketing review with her in attendance at a  
2 brand health meeting maybe two to three times  
3 a year.

4 Q. You said -- and would that be true  
5 for the 2010-2018 time period, generally  
6 speaking?

7 A. I don't know when she started,  
8 so...

9 Q. What's your understanding of her  
10 job?

11 A. Asset manager.

12 Q. For whom?

13 A. She was asset manager for Red  
14 Roof.

15 Q. To your understanding, is she a  
16 Red Roof employee?

17 A. Not to my knowledge.

18 Q. Okay. So, to your knowledge, who  
19 employs her?

20 A. I don't know.

21 Q. Okay. No idea?

22 A. No.

23 Q. If she had an @whg.com email  
24 address, does that tell you anything about who  
25 employed her?

## C E R T I F I C A T E

STATE OF OHIO :  
SS:  
COUNTY OF FRANKLIN :

I, Jennifer L. Parish, a Registered Professional Reporter and Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within named MARINA MacDONALD was by me first duly sworn to testify to the truth, the whole truth, and nothing but the truth in the cause aforesaid; that the deposition then given by her was by me reduced to stenotype in the presence of said witness; that the foregoing is a true and correct transcript of the deposition so given by her; that the deposition was taken at the time and place in the caption specified and was completed without adjournment; and that I am in no way related to or employed by any attorney or party hereto, or financially interested in the action, and I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Columbus, Ohio, on this 20th day of June, 2022.



JENNIFER L. PARISH, RPR  
NOTARY PUBLIC-STATE OF OHIO

My Commission Expires: November 23, 2024.